

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17174 of 2018

Arising Out of PS. Case No.-250 Year-2016 Thana- BIRPUR District- Supaul

Barik @ Abdul Barik Son of late Mohammad Jafar Ali Resident of Village-
Koyali, Police Station- Balua Bazar, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Birpur P. S. Case No. 250 of 2016 registered for the
offences punishable under Sections 147, 148, 149, 341, 323,
332, 333, 337, 307, 353, 302/120B of the Indian Penal Code.

Allegedly, the petitioner and other FIR named accused
persons in a mob of 1000 unknown persons assaulted the
deceased believing him to be involved in a theft of child, they
also entered in altercation with the Police personnel, the
petitioner and others have been identified on the basis of video
footage.

Submission is of false implication and that the



petitioner has got clean antecedent, there is no specific allegation for committing any overt act against the petitioner, the alleged identification is doubtful, the petitioner is a man of means and there is no chance of his absconding. Similarly situated co-accused Iftekharuzamma has already been allowed pre-arrest bail vide Cr. Misc. no. 63586 of 2017 by another co-ordinate Bench of this Court and as such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that similarly situated co-accused has been allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur (Supaul) in connection with Birpur P. S. Case No. 250 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

avin/-

(Jitendra Mohan Sharma, J)

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